



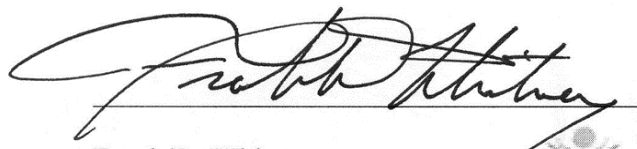
Court of Appeals Transcript Order Form that the Informal Briefing Order clearly requires.<sup>1</sup> Furthermore, based on the recent Fourth Circuit opinion ruling on Plaintiff's appeal, it does not appear Plaintiff ever submitted the Transcript Order Form or otherwise requested from the Fourth Circuit an extension of time to order the transcript or other leave to amend the Informal Briefing Order issued by that court. Indeed, the Fourth Circuit noted, "By failing to produce a transcript or to apply for the production of a transcript at government expense, Cannon has waived review of the issues raised on appeal that depend on the transcript to establish error." Cannon v. Charter Communications, No. 22-1076, 2022 WL 2355498 (4th Cir. June 28, 2022); (also found on this docket at Doc. No. 17, p. 2).

The decision of the Fourth Circuit Court of Appeals moots Plaintiff's motion. Id. Additionally, Plaintiff failed to comply with the transcript order deadline set by the Fourth Circuit Court of Appeals, and absent an indication from the Fourth Circuit that such deadline was extended or amended, Plaintiff's motion to this Court was untimely.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Request Trial Transcript, (Doc. No. 125), is DENIED.

IT IS SO ORDERED.

Signed: July 7, 2022

  
Frank D. Whitney  
United States District Judge

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<sup>1</sup> Along with his motion, Plaintiff included a copy of his Informal Brief to the Court of Appeals for the Fourth Circuit, (Doc. No. 125-1), but he did not otherwise indicate he had submitted the Transcript Order Form required by the Informal Briefing Order or attach a copy of that form to his motion or in any reply brief.